



General Assembly

January Session, 2009

Amendment

LCO No. **5491**

SB0096205491SR0

Offered by:
SEN. DEBICELLA, 21st Dist.

To: Subst. Senate Bill No. **962**

File No. 127

Cal. No. 151

"AN ACT CONCERNING WELLNESS INCENTIVES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective July 1, 2009*) The Commissioner of
4 Revenue Services, in consultation with the Commissioner of Public
5 Health, shall develop a form to be entitled "Taxpayer Statement
6 Regarding Receipt of Preventive Health Care Services". An individual
7 taxpayer may submit the Taxpayer Statement Regarding Receipt of
8 Preventive Health Care Services to such individual's primary care
9 physician for such physician's certification that the individual taxpayer
10 has received, during the course of the tax year, all age and gender
11 appropriate clinical preventive health care services, as determined by
12 the Department of Public Health. An individual taxpayer who obtains
13 such certification from a primary care physician may file the Taxpayer
14 Statement Regarding Receipt of Preventive Health Care Services with
15 the individual's state income tax return. An individual taxpayer filing
16 a Taxpayer Statement Regarding Receipt of Preventive Health Care

17 Services with such individual's state income tax return may deduct
18 medical care expenses from such individual's taxable income. For
19 purposes of this section, "medical care expenses" means expenses paid
20 during the taxable year, not compensated for by insurance or
21 otherwise for medical care as provided in Section 213(d) of the Internal
22 Revenue Code of 1986, or any subsequent corresponding internal
23 revenue code of the United States, as amended from time to time.

24 Sec. 502. Subparagraph (B) of subdivision (20) of subsection (a) of
25 section 12-701 of the general statutes is repealed and the following is
26 substituted in lieu thereof (*Effective July 1, 2009, and applicable to tax*
27 *years commencing on or after January 1, 2009*):

28 (B) There shall be subtracted therefrom (i) to the extent properly
29 includable in gross income for federal income tax purposes, any
30 income with respect to which taxation by any state is prohibited by
31 federal law, (ii) to the extent allowable under section 12-718, exempt
32 dividends paid by a regulated investment company, (iii) the amount of
33 any refund or credit for overpayment of income taxes imposed by this
34 state, or any other state of the United States or a political subdivision
35 thereof, or the District of Columbia, to the extent properly includable
36 in gross income for federal income tax purposes, (iv) to the extent
37 properly includable in gross income for federal income tax purposes
38 and not otherwise subtracted from federal adjusted gross income
39 pursuant to clause (x) of this subparagraph in computing Connecticut
40 adjusted gross income, any tier 1 railroad retirement benefits, (v) to the
41 extent any additional allowance for depreciation under Section 168(k)
42 of the Internal Revenue Code, as provided by Section 101 of the Job
43 Creation and Worker Assistance Act of 2002, for property placed in
44 service after December 31, 2001, but prior to September 10, 2004, was
45 added to federal adjusted gross income pursuant to subparagraph
46 (A)(ix) of this subdivision in computing Connecticut adjusted gross
47 income for a taxable year ending after December 31, 2001, twenty-five
48 per cent of such additional allowance for depreciation in each of the
49 four succeeding taxable years, (vi) to the extent properly includable in
50 gross income for federal income tax purposes, any interest income

51 from obligations issued by or on behalf of the state of Connecticut, any
52 political subdivision thereof, or public instrumentality, state or local
53 authority, district or similar public entity created under the laws of the
54 state of Connecticut, (vii) to the extent properly includable in
55 determining the net gain or loss from the sale or other disposition of
56 capital assets for federal income tax purposes, any gain from the sale
57 or exchange of obligations issued by or on behalf of the state of
58 Connecticut, any political subdivision thereof, or public
59 instrumentality, state or local authority, district or similar public entity
60 created under the laws of the state of Connecticut, in the income year
61 such gain was recognized, (viii) any interest on indebtedness incurred
62 or continued to purchase or carry obligations or securities the interest
63 on which is subject to tax under this chapter but exempt from federal
64 income tax, to the extent that such interest on indebtedness is not
65 deductible in determining federal adjusted gross income and is
66 attributable to a trade or business carried on by such individual, (ix)
67 ordinary and necessary expenses paid or incurred during the taxable
68 year for the production or collection of income which is subject to
69 taxation under this chapter but exempt from federal income tax, or the
70 management, conservation or maintenance of property held for the
71 production of such income, and the amortizable bond premium for the
72 taxable year on any bond the interest on which is subject to tax under
73 this chapter but exempt from federal income tax, to the extent that
74 such expenses and premiums are not deductible in determining federal
75 adjusted gross income and are attributable to a trade or business
76 carried on by such individual, (x) (I) for a person who files a return
77 under the federal income tax as an unmarried individual whose
78 federal adjusted gross income for such taxable year is less than fifty
79 thousand dollars, or as a married individual filing separately whose
80 federal adjusted gross income for such taxable year is less than fifty
81 thousand dollars, or for a husband and wife who file a return under
82 the federal income tax as married individuals filing jointly whose
83 federal adjusted gross income for such taxable year is less than sixty
84 thousand dollars or a person who files a return under the federal
85 income tax as a head of household whose federal adjusted gross

86 income for such taxable year is less than sixty thousand dollars, an
87 amount equal to the Social Security benefits includable for federal
88 income tax purposes; and (II) for a person who files a return under the
89 federal income tax as an unmarried individual whose federal adjusted
90 gross income for such taxable year is fifty thousand dollars or more, or
91 as a married individual filing separately whose federal adjusted gross
92 income for such taxable year is fifty thousand dollars or more, or for a
93 husband and wife who file a return under the federal income tax as
94 married individuals filing jointly whose federal adjusted gross income
95 from such taxable year is sixty thousand dollars or more or for a
96 person who files a return under the federal income tax as a head of
97 household whose federal adjusted gross income for such taxable year
98 is sixty thousand dollars or more, an amount equal to the difference
99 between the amount of Social Security benefits includable for federal
100 income tax purposes and the lesser of twenty-five per cent of the Social
101 Security benefits received during the taxable year, or twenty-five per
102 cent of the excess described in Section 86(b)(1) of the Internal Revenue
103 Code, (xi) to the extent properly includable in gross income for federal
104 income tax purposes, any amount rebated to a taxpayer pursuant to
105 section 12-746, (xii) to the extent properly includable in the gross
106 income for federal income tax purposes of a designated beneficiary,
107 any distribution to such beneficiary from any qualified state tuition
108 program, as defined in Section 529(b) of the Internal Revenue Code,
109 established and maintained by this state or any official, agency or
110 instrumentality of the state, (xiii) to the extent allowable under section
111 12-701a, contributions to accounts established pursuant to any
112 qualified state tuition program, as defined in Section 529(b) of the
113 Internal Revenue Code, established and maintained by this state or
114 any official, agency or instrumentality of the state, (xiv) to the extent
115 properly includable in gross income for federal income tax purposes,
116 the amount of any Holocaust victims' settlement payment received in
117 the taxable year by a Holocaust victim, (xv) to the extent properly
118 includable in gross income for federal income tax purposes of an
119 account holder, as defined in section 31-51ww, interest earned on
120 funds deposited in the individual development account, as defined in

121 section 31-51ww, of such account holder, (xvi) to the extent properly
122 includable in the gross income for federal income tax purposes of a
123 designated beneficiary, as defined in section 3-123aa, interest,
124 dividends or capital gains earned on contributions to accounts
125 established for the designated beneficiary pursuant to the Connecticut
126 Homecare Option Program for the Elderly established by sections 3-
127 123aa to 3-123ff, inclusive, [and] (xvii) to the extent properly
128 includable in gross income for federal income tax purposes, medical
129 care expenses, as defined in section 501 of this act, provided the
130 taxpayer has filed with such taxpayer's state income tax return a
131 Taxpayer Statement Regarding Receipt of Preventive Health Care
132 Services, as set forth in section 501 of this act, and (xviii) to the extent
133 properly included in gross income for federal income tax purposes,
134 fifty per cent of the income received from the United States
135 government as retirement pay for a retired member of (I) the Armed
136 Forces of the United States, as defined in Section 101 of Title 10 of the
137 United States Code, or (II) the National Guard, as defined in Section
138 101 of Title 10 of the United States Code."